

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDREW BOTTARI,

Plaintiff,

- against -

DAVID FISHER and MICHAEL STEVENSON,  
employees of the Village of Ardsley Police  
Department,

Defendants.

-----x

STATE OF NEW YORK        )  
                                  : SS. :  
COUNTY OF KINGS    )

Matthew Flamm declares the following under penalty of perjury pursuant  
to 28 U.S.C. §1746:

1.       I am the attorney for plaintiff Andrew Bottari.

2.       This declaration places before the Court exhibits offered in  
opposition to defendants' motion for summary judgment dismissing all claims on  
qualified immunity grounds.

3.       The following exhibits referenced in these motion papers:

Exhibit 1:     Complaint

Exhibit 2:     Defendants' Answer

Exhibit 3:     Transcript of Plaintiff's August 15, 2006 Testimony  
Pursuant to General Municipal Law §50-h

Exhibit 4:     Transcript of Plaintiff's August 16, 2006 Testimony  
Pursuant to General Municipal Law §50-h

Exhibit 5:     Transcript of Plaintiff's January 7, 2008 Deposition

Exhibit 6:     Transcript of Defendant Michael Stevenson's  
February 21, 2007 Testimony in People of the State of  
New York v. Andrew Bottari

- Exhibit 7: Aerial photograph depicting Village of Ardsley
- Exhibit 8: Photographs depicting plaintiff's injuries
- Exhibit 9: Dobbs Ferry Community Hospital Medical Records regarding plaintiff's injuries
- Exhibit 10: March 3, 2005 Ardsley Police Department Case Report Work Sheet prepared by Michael Stevenson (2 pp.)
- Exhibit 11: March 3, 2005 Ardsley Police Department Supplemental Complaint Report prepared by David Fisher (2 pp.)
- Exhibit 12: Misdemeanor Information signed by Michael Stevenson dated March 3, 2005 (4 pp.)
- Exhibit 13: Decision and Order Dismissing All Charges Pursuant to Criminal Procedure Law §30.30
- Exhibit 14: Certificate of Disposition
- Exhibit 15: December 1, 2005 Time Sheet/Invoice regarding Criminal Defense in People v. Bottari

Dated: March 28, 2008  
Brooklyn, New York



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Matthew Flamm **MF1309**  
Attorney for Plaintiff